

CHAPTER: 700

Operational Security

DEPARTMENT ORDER:

708 – Searches

OFFICE OF PRIMARY
RESPONSIBILITY:

OPS

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ACCESS

☐ **Contains Restricted Section(s)**

Arizona Department of Corrections

Department Order Manual



A handwritten signature in black ink, appearing to read 'Charles L. Ryan', is written over a horizontal line.

Charles L. Ryan, Director

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PURPOSE

This Department Order establishes measures to control the introduction or possession of contraband and maintain a safe and secure environment for staff, inmates and visitors. Control is accomplished through searches of inmates, offenders who are under supervision in the community, staff, visitors, property and inmate living areas and common areas. Searches are conducted in a manner that is professional and dignified, and shall not involve any punishment, harassment, embarrassment, or cause damage to personal property of the search subject.

PROCEDURES

1.0 SEARCHES – GENERAL PROCEDURES

- 1.1 Warden and Deputy Warden shall ensure:
 - 1.1.1 Searches are conducted as often as necessary to control contraband and to recover missing property, but never for purposes of punishment or harassment.
 - 1.1.2 Searches of inmates are conducted as part of the daily operation of the institution.
 - 1.1.3 Searches are frequent, unannounced, and irregularly timed.
 - 1.1.4 Searches of common access and living areas are conducted as part of the daily operation of the institution.
 - 1.1.5 Searches are performed on all vehicles entering or departing the secure perimeter of the unit.
 - 1.1.6 Staff conducts searches whenever they have reason to believe inmates or visitors are concealing contraband.
 - 1.1.7 Sensors and mechanical devices are used in an appropriate legal manner.
- 1.2 The Warden and Deputy Warden shall designate placement of the metal detectors (i.e., walk-through scanners and hand scanners).
- 1.3 General Search Requirements
 - 1.3.1 Staff shall document searches of inmate living areas, and any search in which contraband (other than nuisance contraband) is found in the Correctional Service Log, Form 105-6 and unit search log (or other means) to provide a permanent record of searches. *[Revision – March 21, 2014]*
 - 1.3.2 Staff shall forward the reports to the Deputy Warden through the chain of command.
 - 1.3.2.1 Deputy Warden shall establish a file for all reports documenting searches to provide a system of recording searches.
 - 1.3.2.2 Unauthorized and unclaimed property and contraband shall be processed in accordance with Department Order #909, Inmate Property.

- 1.3.3 All persons entering an institution are subject to being searched prior to entering to include; employees, contractors, contracted vendors, volunteers, and members of the public.
 - 1.3.4 Individuals who enter an institution for the purpose of visiting an inmate are required to have previously consented to searches as part of the registration process outlined in Department Order #911, Inmate Visitation.
 - 1.3.5 Searches of individuals entering institutions shall be conducted in a professional and dignified manner.
 - 1.3.6 Persons who refuse an authorized search; possess contraband or illegal contraband; or refuse to remove or reveal contraband or illegal contraband shall be denied entrance. Refer to the following Department Orders for specific denial procedures and appropriate penalties:
 - 1.3.6.1 Department Order #202, Public Access - Tour and Board Hearing
 - 1.3.6.2 Department Order #205, Contractor Security
 - 1.3.6.3 Department Order #911, Inmate Visitation
- 1.4 Vehicle Search
- 1.4.1 Vehicles Entering/Exiting the Unit – Searches are performed on all vehicles entering or departing the secure perimeter of the unit. Staff shall ensure:
 - 1.4.1.1 Vehicles are issued steering wheel lock (club) and utilized while on unit.
 - 1.4.1.2 Vehicles are equipped with locking gas caps. Lack of a locking gas cap will require the Shift Commanders approval and a staff escort the entire time the vehicle is on the yard.
 - 1.4.1.3 All vehicle doors are lockable. Vehicles that are unable to be secured shall not be permitted inside the secure perimeter, unless the Shift Commander approves for it to be continuously escorted by a Security Staff member.
 - 1.4.1.4 Carefully inspect all incoming and outgoing vehicles, to include inside, outside, under the hood, inside storage areas, etc., with the mirror and by physical inspection.
 - 1.4.1.5 All vehicle searches are documented in the appropriate log.
 - 1.4.1.6 All traffic entering or exiting the unit is authorized to do so through the Shift Commander.
 - 1.4.1.7 Both sally port gates are not opened simultaneously unless authorized by the Shift Commander.
 - 1.4.1.8 All out-going traffic exits prior to permitting on-coming traffic to enter.

- 1.4.2 Commercial Vehicles – In addition to the guidelines outlined in 1.2.1.1, the Sally Port Officer shall ensure:
 - 1.4.2.1 When a delivery vehicle, contractor vehicle or any other vehicle arrives at the Sally Port possessing weapons, cellular phones, pagers, and/or any other type of contraband, which is restricted by Departmental policy, the driver secures the items in a lock-box located at a location designated by the Warden and/or Major. Whenever possible, complexes shall have drivers secure such items prior to being allowed to continue to the unit. The Shift Commander shall authorize entry.
 - 1.4.2.2 Upon entering the unit, all commercial/delivery vehicle cargo areas are secured with a unit security lock. As vehicles depart the unit, the security lock is removed.
 - 1.4.2.2.1 Commercial vehicles shall be directly supervised by security staff during all times when the vehicle cargo area is not secured.
 - 1.4.2.2.2 Commercial vehicles that cannot be secured with a security lock shall require a security staff escort from the moment it enters the yard, until the vehicle clears the yard for exit.
- 1.4.3 Emergency Response Vehicles
 - 1.4.3.1 The following staff and vehicles are exempt from normal procedures. However, they will be escorted by an officer during their stay on the units.
 - 1.4.3.1.1 Fire Trucks
 - 1.4.3.1.2 Ambulance
 - 1.4.3.2 Emergency vehicles are not to be delayed upon entry.
 - 1.4.3.3 Emergency Response vehicles shall be visually searched prior to entering the unit and all personnel shall be positively identified.
 - 1.4.3.4 Ambulances shall be visually searched to ensure only the escorting officer, ambulance staff and departing inmate(s) are in the vehicle.
 - 1.4.3.4.1 Departing inmate(s) shall be fully restrained.
 - 1.4.3.5 The Shift Commander shall assign an appropriate number of officers to escort the emergency vehicle from the time it enters the unit until it departs the unit.
 - 1.4.3.5.1 The escorting officer shall ensure only authorized inmates are allowed near Department emergency vehicles (i.e., Fire truck).

1.4.4 Exiting the Sally Port

- 1.4.4.1 All vehicles shall be visually searched for inmates attempting to escape. This search shall cover all areas large enough to conceal inmates. No vehicles are exempt from this procedure.
- 1.4.4.2 A mirror, ladder or camera shall be utilized to check the roofs of departing vehicles.
- 1.4.4.3 Every individual leaving the unit shall be positively identified through the use of picture ID, with the Sally Port Officer physically handling the ID card to verify authenticity.

1.4.5 Parking Lot Searches

- 1.4.5.1 The Warden, unit Deputy Warden, and Complex Major may authorize the Narcotic Service Dog(s) to be used for searches of staff, visitors, and private vehicles.
 - 1.4.5.1.1 All persons entering/exiting prison property may be subject to search including employees, volunteers, contract employees, visiting dignitaries and civilian and/or inmate visitors.
- 1.4.5.2 The Service Dog Handler shall direct/oversee all activities of the Service Dog.
 - 1.4.5.2.1 All subsequent search results shall be recorded on an Information Report, Form 105-2.
 - 1.4.5.2.2 If narcotics or any other illegal contraband is located, immediate notification shall be made to the Criminal Investigations Unit through the chain-of command. Staff shall initiate a Significant Incident Report, Form 105-3.
 - 1.4.5.2.3 A Service Dog shall be available to search employee and visitor vehicles randomly on all visitation days, and when there is probable cause or reasonable suspicion.
 - 1.4.5.2.4 The Service Dog Handler shall ensure all occupants have exited the vehicle prior to beginning any search.
 - 1.4.5.2.5 To prevent injury to any person, and liability to the Department, narcotic service dog searches of individual person, whether staff or visitors, shall be conducted through a barrier screen.
 - 1.4.5.2.6 An approved portable barrier screen may be used in lieu of a fixed chain link with no-climb barrier screen.

- 1.4.5.2.7 All Service Dog Handlers shall have access to a portable barrier screen.
 - 1.4.5.2.8 Special care shall be taken to prevent vehicle damage.
 - 1.4.5.2.9 All contents of the vehicle, including jackets/clothing not being worn, may be searched by the Service Dog Handler.
- 1.5 Metal Detectors – Walk-through and Hand Scanners - Employees, contractors, vendors, and visitors shall be required to clear a metal detector prior to entering a unit.
 - 1.5.1 Individuals failing to clear the walk-through scanner shall be advised they have one more attempt to clear the detector.
 - 1.5.2 Individuals who fail to clear the walk-through scanner shall remove any article of clothing or accessories, to include shoes if necessary, in an attempt to clear the detector again. Any items(s) removed shall be thoroughly inspected and searched prior to returning them to the individual.
 - 1.5.3 Hand scanners shall be used when a person fails to clear the walk-through scanner after two attempts.
 - 1.5.4 An alert by the hand scanner is a failure to clear a metal detector.
 - 1.5.4.1 Employees, contractors, or vendors who cannot clear the walk-through scanner or hand scanner shall be pat searched prior to being allowed entry to the unit.
 - 1.5.4.2 Visitors who cannot clear the walk-through scanner or hand scanner shall be asked to leave the facility and not allowed access to visitation for the day, in accordance with Department Order #911, Inmate Visitation.
 - 1.5.4.2.1 Visitors shall not be pat searched in order to enter the unit, unless a special medical condition applies.
 - 1.5.5 Special medical conditions for employees, contractors, vendors, or visitors - Persons with a special medical condition that may affect the reading of electronic detection equipment, (i.e., prosthesis, an embedded metal surgical pin or plate) shall advise the Ingress/Egress officer.
 - 1.5.5.1 The person is required to provide written documentation from a medical provider of the specific medical condition, which shall be approved by the unit Deputy Warden or On-Site Duty Officer.
 - 1.5.5.2 Persons with such a medical condition shall be required to clear a hand scanner for all areas, with the exception of the area of the medical condition, which shall be pat searched.
 - 1.5.6 Under NO circumstances will a minor child (anyone under the age of 18) be searched with a hand scanner. If the minor child does not pass the electronic metal detector, the child and accompanying legal guardian may be allowed to leave and return for a second attempt. If the minor child cannot pass the electronic metal detector after the second attempt, they will not be allowed to visit.

- 1.5.7 All personal property, including food items, shall be cleared through the walk-through scanner and inspected prior to being permitted entry into the unit.

1.6 Pat Search

- 1.6.1 Pat searches shall be performed by staff of the same gender as the subject being searched. Exceptions for inmate searches are listed in section 2.0 of this Department Order.
- 1.6.2 Pat searches shall be conducted as needed.
- 1.6.3 When performing a pat search the following method shall be utilized:
- 1.6.3.1 Prior to proceeding with a pat search, staff shall put on their personal protective equipment gloves.
 - 1.6.3.2 Direct the subject to face away from the staff member, remove any hat or jacket, and direct the subject not to turn around.
 - 1.6.3.3 Direct the subject to remove any object which may poke or stick the staff member doing the search (i.e., tattoo, hypodermic or sewing needles, etc.)
 - 1.6.3.4 If the subject has any personal property on their person, such as a walkman, etc., direct the subject to empty their pockets and hand them to you for inspection. Search each item thoroughly. Set the items down within your view, but out of the reach of the subject.
 - 1.6.3.5 If the subject is wearing a hat or jacket, or both, they shall be searched, paying special attention to the:
 - 1.6.3.5.1 Inside rim of hat.
 - 1.6.3.5.2 Jacket pockets.
 - 1.6.3.5.3 Sleeves.
 - 1.6.3.5.4 Lining and seams, looking for alterations or hidden pockets.
 - 1.6.3.6 Direct the subject to stand with legs apart (approximately two feet), to extend arms out to the sides, with his hands open, fingers spread apart and thumbs pointed down. Look at the palms to ensure no contraband is concealed there.
 - 1.6.3.7 If subject has long hair, braids, or a ponytail, have the subject take their hair down and shake vigorously.
 - 1.6.3.8 Start by placing both hands on either arm, patting around the arm ensuring both the front and back of the arm is searched.
 - 1.6.3.8.1 Begin at the wrist if a long sleeved shirt is worn.
 - 1.6.3.8.2 Work towards the torso.

- 1.6.3.8.3 The same procedure shall be used on the other arm.
- 1.6.3.9 Reach around the front chest of the subject and pat the subject starting at the collar.
 - 1.6.3.9.1 The process can be done in halves, beginning on the left side and then on the right side, allowing the staff member to maintain one hand on the back of the subject to aid in creating separation from the subject if an aggressive move is made.
 - 1.6.3.9.2 Continue down the subject's torso, patting the chest, stomach, and top of groin area.
 - 1.6.3.9.3 Work around the sides of the torso, onto the back and down to the spine to the waistband.
 - 1.6.3.9.4 Reach around the subject to the front waist area and squeeze the waistline, progressing in regular intervals towards the center of the back.
- 1.6.3.10 The staff member shall then begin the pat search of the upper part of the subject's leg, well into the groin and buttocks area, moving downward toward the ankle.
 - 1.6.3.10.1 All areas of the legs, groin, and buttocks areas are to be searched thoroughly.
 - 1.6.3.10.2 All pockets shall be checked.
 - 1.6.3.10.3 The same procedure will be repeated on the other leg.
- 1.6.3.11 If for any reason, a staff member suspects the inmate is hiding contraband in their clothing, the staff member may remove the inmate to another location and a strip search may be conducted.
 - 1.6.3.11.1 If a staff member suspects an employee, contractor, vendor or visitor of hiding contraband, they shall follow the requirements listed in section 3.0 of this Department Order.
 - 1.6.3.11.2 Minor visitors shall not be strip searched.

1.7 Strip Search

- 1.7.1 Strip searches shall be performed by a staff member of the same gender and performed in areas designated by the Warden, Deputy Warden or Administrator.
 - 1.7.1.1 If reason exists for a strip search to be done immediately, the Shift Commander or Duty Officer may authorize the use of a private area other than the designated strip room.

- 1.7.1.2 At no time during the strip search shall any part of the person's body be touched by a staff member, with the exception of inspecting the person's hair as outlined in 1.7.2.3 of this section.
- 1.7.2 When performing a strip search the following method shall be utilized. The staff member shall direct the subject to:
 - 1.7.2.1 Empty all pockets and place possessions in an area inaccessible to the subject during the search.
 - 1.7.2.2 Remove all clothing and place in an area inaccessible to the subject during the search.
 - 1.7.2.3 Let down hair and to undo any braids. If staff determined the braids should not be undone, staff shall physically inspect the braids to ensure they are free of any contraband by feeling and bending the braids. The staff member shall:
 - 1.7.2.3.1 Place any hair products in an area inaccessible to the subject during the search.
 - 1.7.2.3.2 Direct the subject to run their fingers thoroughly through the hair. Look for any contraband concealed anywhere in the hair or on the scalp.
 - 1.7.2.3.3 Direct the subject to pull ear back to observe the area behind each ear. The staff member shall inspect both ears.
 - 1.7.2.4 Open mouth and direct the subject to:
 - 1.7.2.4.1 Roll tongue back to observe under the tongue.
 - 1.7.2.4.2 Stick tongue out to observe the back of the throat.
 - 1.7.2.4.3 Inspect the upper and lower gum-lines.
 - 1.7.2.4.4 Inspect dentures or false plates.
 - 1.7.2.5 Extend arms out to the side, with fingers extended and spread apart.
 - 1.7.2.6 Raise arms so the hands are above the head.
 - 1.7.2.6.1 Inspect both arm pits.
 - 1.7.2.6.2 Inspect the entire torso.
 - 1.7.2.6.3 Direct females to lift and separate breasts to inspect all sides.
 - 1.7.2.7 Extend arms forward to inspect the hands and fingernails. The staff member shall inspect:
 - 1.7.2.7.1 Palms of both hands.

- 1.7.2.7.2 Back of both hands.
- 1.7.2.7.3 Between each finger of both hands.
- 1.7.2.8 Spread legs apart to inspect the genital area. The staff member shall direct males to lift:
 - 1.7.2.8.1 Penis to inspect the area underneath.
 - 1.7.2.8.2 Testicles to inspect the area underneath.
- 1.7.2.9 Turn around to inspect the posterior. The staff member shall inspect the:
 - 1.7.2.9.1 Nape of the neck. Hair shall be lifted as necessary.
 - 1.7.2.9.2 Back of the shoulders.
 - 1.7.2.9.3 Spinal area.
 - 1.7.2.9.4 Buttocks.
- 1.7.2.10 Lift each leg to inspect the sole of each foot.
- 1.7.2.11 Bend forward and spread buttocks. The staff member shall:
 - 1.7.2.11.1 Inspect for any hidden objects. For female inmates, also inspect the vaginal area.
 - 1.7.2.11.2 If suspicious contraband may be present, direct the subject to squat down and cough deeply.
 - 1.7.2.11.3 If still suspicious contraband may be present, contact medical personnel to provide a more intrusive search.

1.7.3 The staff member shall thoroughly inspect clothing before returning the subject.

2.0 SEARCHES OF INMATES

2.1 Housing Unit Searches

- 2.1.1 All religious property is subject to periodic security inspection and shall be handled with appropriate respect, including consultation with the institution's Chaplain when appropriate. See Department Order #904, Inmate Religious Activities/Marriage Requests, for further information.
- 2.1.2 Two staff members shall be present during a housing unit search, whenever possible.
 - 2.1.2.1 An inmate may be present, but need not be present, during a search of the inmate's living area.
 - 2.1.2.2 If the inmate is not present, two staff members shall be present during the search.

2.1.2.2.1 When a search is conducted without the inmate present, the staff shall document in the Correctional Service Log, and in the unit search log, the explanation of the inmate's absence. ***[Revision – March 21, 2014]***

2.1.3 When conducting a search of an inmate's living area for contraband or other evidence of illegal or unauthorized activity, staff may inspect and examine personal papers, books and other documents for the purpose of discovering evidence of escape plans, disturbance plans, use of weapons or explosives, suicidal tendencies, or any other information that may constitute a threat to the safety and security of the prison.

2.1.4 Papers or documents the inmate claims to be legal material may be scanned for contraband, but shall not be read. The Shift Commander shall evaluate any such material thought to be contraband immediately upon removal of the item from the inmate's living area.

2.2 Inmate Pat Searches

2.2.1 A pat search of an inmate shall be conducted by a staff member of the same gender as the inmate whenever possible, with the following exceptions.

2.2.1.1 Male officers shall not pat search female inmates, except in emergency situations. Pat searches of female inmates by male officers shall be documented in the Correctional Service Log, and shall include the searching officer(s) name and badge number, the inmate(s) name and ADC number, and the reason for the cross gender pat search. ***[Revision – March 21, 2014]***

2.2.1.2 Female officers may pat search male inmates if no male staff member is available to conduct the search within a reasonable amount of time.

2.2.1.3 Pat searches conducted by a staff member who is not the same gender as the inmate shall be conducted in the presence of at least one additional staff member, whenever possible.

2.3 Strip Searches

2.3.1.1 Every inmate whose work or program duties are outside the perimeter of the assigned unit shall be strip searched each time the inmate returns to the unit.

2.3.1.2 Inmates who work in secured areas, such as the Kitchen, shall be strip searched prior to being released back to the yard, as outlined in section 1.0 of this Department Order.

3.0 SEARCHES OF EMPLOYEES, VOLUNTEERS, AND CONTRACTORS

3.1 Search Requirements for Employees

- 3.1.1 Employees (including contractors, contracted vendors, and volunteers) shall be required, as a condition of employment, to consent to have their persons, vehicles, and other items searched when on Department property. Such consent shall be obtained as part of the background investigation process as outlined in Department Order #602, Background Investigations.
- 3.1.1.1 Employees conducting searches of approved religious property being brought into the institution shall handle the property with appropriate respect.
- 3.1.2 Under no circumstances shall any force be used in conducting a search of an employee. Instead, an uncooperative employee shall be advised of the consequences described in this Department Order and Department Order #601, Administrative Investigations and Employee Discipline.
- 3.1.3 Searches of employees with electronic sensors, pat searches and searches of vehicles and other personal items shall be conducted routinely by security staff in particular areas, at established check points, or based upon reasonable suspicion.
- 3.1.4 Employee pat searches shall be conducted at least once each calendar quarter. These searches shall be irregularly timed, unannounced and conducted in accordance with the guidelines established in this Department Order.
 - 3.1.4.1 A pat search of an employee shall be conducted by a staff member of the same gender as the employee.
 - 3.1.4.2 Searches of employee vehicles on prison grounds, regardless of rank or position of the employee, may be conducted as authorized by the Warden, Deputy Warden or the institution's Chief of Security. Employees shall be present during searches of their vehicles.
 - 3.1.4.3 Administrative offices at prisons and Community Correctional Centers are considered secure areas, and employees and their personal and state issued property may be searched in these areas.
 - 3.1.4.4 Searches shall not be conducted routinely in non-secure administrative offices and facilities, including those at Central Office buildings. Employees and their personal and state issued property may be searched at these locations when such searches are based on reasonable suspicion.
- 3.1.5 If an electronic sensor, pat search, staff observation or reliable information creates reasonable suspicion to believe an employee possesses contraband, the searcher may, if approved by the Warden or Off-Site Duty Officer, conduct a more thorough search, including a strip search.

- 3.1.5.1 The Criminal Investigations Unit shall be notified immediately and respond to ensure proper procedures are followed to preserve both the evidence and employee's civil rights.
- 3.1.6 If staff observation or reliable information creates reasonable suspicion to believe an employee is under the influence of alcohol or drugs, the searcher may, if approved by the Warden or Off-Site Duty Officer, conduct a more thorough search, including drug and alcohol screening at the approved testing location.
 - 3.1.6.1 Staff shall be driven directly to the testing location, and then driven home following the test.
 - 3.1.6.2 Staff is not permitted to operate a vehicle (state or personal) if believed to be under the influence of alcohol or drugs.
- 3.1.7 Searches of employees may be conducted as part of an administrative investigation involving allegations of employee misconduct. The employee may be required to provide physical evidence, statements or testimony.
 - 3.1.7.1 The Division Directors/Assistant Director or designee may require an employee to provide fingerprints, urine specimens, breath samples, handwriting examples or other evidence deemed appropriate during an administrative investigation. Employees who refuse such directives shall be denied entry to the institution and shall be subject to disciplinary action as outlined in Department Order #601, Administrative Investigations and Employee Discipline.
 - 3.1.7.2 Employees may also be required to submit to interviews or polygraph examinations. (See Department Order #603, Polygraph Services.)
 - 3.1.7.3 If supervisors have a reasonable cause to suspect the employee has altered or tampered with a urinalysis, the employee may be subject to disciplinary action as outlined in Department Order #601, Administrative Investigations and Employee Discipline.
- 3.1.8 An employee shall be denied access to the work site, and security supervisors or investigators shall file a complaint with the Inspector General's office, to be followed by appropriate disciplinary action, if the employee:
 - 3.1.8.1 Possesses contraband.
 - 3.1.8.2 Refuses to cooperate in or submit to a search.
 - 3.1.8.3 Refuses to sign the Consent to Search, Form 602-3. The consent is a condition of employment, which includes employees, contractors, vendors and volunteers. Refusal to do so shall result in a retraction of the employment offer and/or access to the institution.
 - 3.1.8.4 Refuses to provide evidence as ordered.

- 3.1.9 A Significant Information Report shall be generated when an employee is strip searched, drug or alcohol tested, or when contraband is discovered. A copy of the Significant Information Report shall be submitted to the concerned employee's Deputy Warden.

4.0 SEARCHES OF MEMBERS OF THE PUBLIC (VISITORS) - All visitors, their possessions and vehicles are subject to search as outlined in Department Order #911, Inmate Visitation.

- 4.1 Employees shall only conduct searches of members of the public as a function of their post duties or by authorization of the Warden or Deputy Warden.
 - 4.1.1 Employees conducting searches of approved religious property being brought into the institution shall handle the property with appropriate respect.
- 4.2 When thorough and extensive searches of members of the public are planned (i.e., parking lot searches), the institution's Criminal Investigations Unit shall take appropriate enforcement action when notified of findings of illegal contraband.
- 4.3 When, in the course of a vehicle search, a service dog alerts, further searches shall be conducted as required by instructions governing the use of service dogs or in accordance with the appropriate Department Order. If no contraband is located, all occupants shall be temporarily suspended pending a review by the unit Deputy Warden.
- 4.4 If contraband or illegal contraband is detected during the search of a vehicle, staff shall confiscate the items(s) as outlined in Department Order #911, Inmate Visitation.
- 4.5 When plain sight inspections of the public reveal suspected illegal contraband, the Criminal Investigation Unit or local law enforcement shall be contacted to determine if a violation has taken place.
 - 4.5.1 When probable cause exists to believe a violation of the statutes has taken place, illegal contraband items shall be seized and processed as evidence.
 - 4.5.2 If insufficient probable cause exists regarding a violation of statutes, or if the contraband is unauthorized but not illegal, the contraband items shall not be seized.
- 4.6 The member of the public being searched shall remove the contraband by leaving state property and shall not be allowed to return until a review of the circumstances and a final decision regarding violations can be made by the Warden or Deputy Warden.
 - 4.6.1 The Inmate visitor shall not be automatically removed from the visiting list.
 - 4.6.2 The inmate visitor shall be suspended pending administrative review by the Deputy Warden.
 - 4.6.3 The Deputy Warden shall review the incident and make a determination on the visitor's status within three workdays of the incident.

5.0 SEARCHES OF OFFENDERS BY COMMUNITY CORRECTIONS STAFF

- 5.1 When Community Corrections staff has reason to believe an offender's activities and behavior are illegal or pose a threat to the offender and/or to the public, the subsequent investigation may, when necessary, include a search of the offender's person, vehicle and residence. The searches may be conducted without a warrant per the agreement to "submit to search" as a Standard Condition of Supervision and Release.
- 5.2 All searches conducted by Community Corrections Officers shall be performed in accordance with Department Order #1003, Community Corrections.
- 5.3 During a search and seizure operation, Community Corrections Officers and other Community Corrections staff shall ensure searches are conducted without violating the constitutional rights of offender or others.
- 5.4 Community Corrections Officers shall submit appropriate reports within two workdays following any search and seizure.

IMPLEMENTATION

Within 90 days of the effective date of this Department Order, Wardens and Administrators shall:

- Update Post Orders that address, at a minimum:
- Responsibility for scheduling and conducting routine searches of inmates, areas and staff.
- Proper documentation and reporting of all searches.
- Methods identifying proper handling of contraband.
- The requirements outlined in this Department Order.

DEFINITIONS/GLOSSARY

Refer to the Glossary of Terms

AUTHORITY

A.R.S. §13-2501, Definitions

A.R.S. §13-2505, Promoting Prison Contraband; Exceptions; X-Radiation; Body Scans; Classification

A.R.S. §31-233, Order for Removal; Purposes; Duration; Continuous Alcohol Monitoring Program; Failure to Return; Classification

A.R.S. §31-411, Parole Or Discharge; Conditions Of Parole; Release Under Supervision Of State Department Of Corrections; Notice Of Hearing; Exceptions; Drug Testing Costs

A.R.S. §31-412, Criteria for Release On Parole; Release; Custody of Parolee; Definition

A.R.S. §31-461, Interstate Compact; Contents

A.R.S. §41-1604(B (2) (i), Duties and Powers of Director